

Using State Provided Benefits with Job Protection

NJ State information changes regularly, so you are encouraged to check with the state website for the latest information including filing procedures.

[Division of Temporary Disability and Family Leave Insurance | Maternity Coverage \(nj.gov\)](#)

Here is the general information to help you navigate the process.

- **Inform us you are planning to take time off under Family Leave and Bonding provisions** afforded by the state. You should submit your request **IN WRITING** with as much advance notice as possible. We understand in some cases, you may not be able to provide advance notice, but when possible, please do so. Please include the duration of the requested leave.
- In each case, you will need to meet the minimum duration of working weeks/hours in the prior 1 year period established by FML. See the duration and criteria for eligibility found below. **WE WILL DETERMINE LEAVE eligibility from the COMPANY, the State will determine Compensation CLAIM eligibility.** You are responsible for filing with NJ state directly. This is not something we are able to assist with.
- Finally, employees taking unpaid leave for 4 weeks or longer, will need to make payments via personal check for continuation of all benefit coverage elected during your employment. (Medical/dental/vision/Supp Life) Earned and unused vacation/sick days may be used/requested when the leave commences to help pay for the employee contribution. First Choice will **NOT** continue your Voluntary coverage unless you are paying your share of the cost.

How Long Is Paternity Leave in New Jersey Available?

FMLA will supply new fathers with 12 weeks of family leave with job security, to be eligible for this you must have worked with your employer for at least 12 months and 1250 hours the previous year.

Filing for Bonding Leave Benefits After Recovering from Birth



AFTER RECEIVING STATE TEMPORARY DISABILITY BENEFITS: You will receive an FL2 (new mother bonding notice) in the mail once we are notified that you delivered. The FL2 has a unique Online Form ID Number on it. When you receive the form, [click here](#) and enter that number when asked. If everything goes smoothly, you should receive benefits on your debit card within two business of completing the FL2 online.

Continuous or Non-Continuous Leave



New moms do not need to take their leave all at once. You can claim Family Leave Insurance to bond in one consecutive 12-week period, or on a day-by-day basis to suit your needs. However, the manner in which you choose to claim your leave will determine the duration of leave that you are entitled to.

Continuous Leave: You may receive up to 12 weeks of benefits before your child's first birthday, if the benefits are claimed for one continuous period of unpaid leave.

Non-Continuous (intermittent) Leave: If you are claiming benefits on an intermittent schedule, whether it be a week, a month, or a day at a time, you may receive up to 56 individual days (8 weeks) of Family Leave benefits before your child's first birthday. If you take your leave in a non-continuous manner, let us know those dates *after* taking each segment. If you are approved for Family Leave Insurance benefits but do not initially claim your maximum amount of leave when filing, we will mail you a [Continued Claim Certification \(FL3\)](#), which includes a schedule that you must fill out and sign – showing the days you *did not work* during the period. You will need to submit an updated schedule after each period of leave is completed.

How Much I Need to Earn to Qualify



Your employer is required to report your wages to the state after each calendar quarter. When your claim is under review, we consider the earnings reported for the five completed quarters prior to the week your leave began. The first four quarters of that time frame is called the [base year](#).

To qualify for Family Leave Insurance in 2021, you must have worked **20 weeks earning at least \$220** weekly, or have earned a **combined total of \$11,000** in those four quarters (the base year).

To qualify for Family Leave Insurance in 2022, you must have worked **20 weeks earning at least \$240** weekly, or have earned a **combined total of \$12,000** in those four quarters (the base year).

The minimum earnings requirement for Temporary Disability and Family Leave Insurance are the same. Therefore, if you received Temporary Disability benefits from the state for your pregnancy and postpartum recovery, you automatically meet the minimum earnings requirement for Family Leave benefits.

Your regular base year period consists of 52 weeks and is determined by the date you apply for Family Leave Insurance benefits, as outlined in the chart below:

If your claim is dated in:	Your claim is based on earnings from:
January 2022 February 2022 March 2022	October 1, 2020 to September 30, 2021
April 2022 May 2022 June 2022	January 1, 2021 to December 31, 2021
July 2022 August 2022 September 2022	April 1, 2021 to March 31, 2022
October 2022 November 2022 December 2022	July 1, 2021 to June 30, 2022

The wages earned during your base year will determine the amount of weekly benefits you may receive, and the maximum amount of benefits you can claim.

We are unable to answer questions regarding the state determination of cash payments, however; if there are any wage inquiries, we are prepared to work with the state to help facilitate your Leave Claim.

How Payments Are Made



Applications are processed in the order they are received. Payment of benefits will be delayed if your application is incomplete or contains missing or conflicting information.

Benefits are issued on a [debit card](#) sent to you directly by Bank of America. You will receive this card in the mail in a plain, unmarked envelope *before* your claim is approved and funds are applied to the card. ***Don't lose it!***

Payments are usually issued every two weeks after the initial payment, with a one-week lag for processing time. Once a payment is posted, funds should be available on your debit card within two business days of the payment date. No federal income tax is withheld from your benefits unless you request a 10 percent deduction when you apply. Each day of benefits paid to you is one-seventh (1/7) of your weekly benefit rate. Payment may be more or less than a one-week period.

Understanding Maximum Benefit Amounts



Claims established prior to July 1, 2020, can receive benefits for up to six weeks (42 days) during a 12-month period or one-third (1/3) of the total gross wages earned during the base year, whichever is less. Claims beginning July 1, 2020 or after, can receive benefits for up to 12 consecutive weeks (84 days) or up to eight weeks (56 days) of intermittent leave in a 12-month period, provided one-third (1/3) of the total gross base year earnings is the higher benefit amount.

The 12-month period begins on the date of your child's birth. If you have not claimed your maximum benefit amount, you may reestablish a claim within the same 12-month period to care for a family member, or during or following employment with a different employer.

Keeping Your Employer Informed



To receive Family Leave benefits in one continuous period, you must notify your employer 30 days' in advance of the date you plan to start your leave. To claim your benefits in non-consecutive days, you must notify your employer 15 days' in advance of each anticipated absence.

We encourage you to ***keep your employer informed***. Having an open discussion with your employer about your need for leave will allow them to prepare for your absence and make adjustments to work schedules if necessary. Your employer may also be able to provide insight on job protection and if you qualify for it through the federal [Family and Medical Leave Act \(FMLA\)](#) or the [New Jersey Family Leave Act \(NJFLA\)](#).

What Happens at Tax Time?



After the end of each calendar year, Form 1099-G will be available online for you to [download](#) and use when filing your federal income tax return. This form lists the total New Jersey State Family Leave Insurance (including Family Leave During Unemployment) benefits received that calendar year. This information is also sent to the Internal Revenue Service (IRS). If you receive Family Leave Insurance benefits from an approved private plan, your employer will provide you with the information required to file your federal income tax return. **Family Leave Insurance benefits are not taxed by the State of New Jersey.**